

RESPONSE

This Response is intended to be fully responsive to the Office Action dated July 15, 2003. Claims 1-9, 11 and 12 are pending which have all been rejected.

Reconsideration of the application is respectfully requested following the present entry of the following remarks:

1. The rejection of claims 1-9, 11 and 12 under 35 U.S.C. 102(e) as being anticipated by Lesser et al. (Patent No. 6,248,126) is respectfully traversed. We believe that the disclosure in the Lesser patent is too broad to be enabling to one skilled in the art. However, the Lesser patent is not proper prior art under Section 102(e), as Applicant conceived of his invention prior to the effective date of the lesser patent and diligently reduced it to practice soon thereafter. An Affidavit completed by Applicant's former research assistant and student, Matthew W. Hill, M.D., Ph.D. relating thereto is submitted herewith.

As evidenced by the attached Affidavit, Dr. Hill worked in close proximity with Applicant and remembers discussing the claimed invention with Applicant prior to the Lesser effective date. Therefore, reconsideration of the claims is respectfully traversed.

2. As all of the Examiner's requirements and suggestions have been satisfied, Applicant respectfully submits the application is now in condition for allowance. Reconsideration is respectfully requested. Examiner is invited to telephone or e-mail the undersigned with any questions regarding this Amendment.

No additional fee is due.

Respectfully submitted,

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